
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

WASHINGTON BOROUGH COUNCIL MINUTES

March 15, 2022

The regular meeting of the Borough Council of Washington, Warren County, New Jersey was held via ZOOM live stream at 7:00 P.M.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Ron.

Also Present: Matthew Hall, Manager
Laurie A. Barton, Borough Clerk
Leslie Parikh, Attorney

Councilwoman Cox left meeting at 7:53 PM.

Deputy Mayor Conry led everyone in the flag salute.

Deputy Mayor Conry read the following statement into record:

The requirements of the Open Public Meetings Law, P.L. 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Express-Times (Warren County Edition and Star Ledger) and posted on the Boroughs website stating the time, place and purpose of the meeting as required by law

PUBLIC COMMENT

Mel Thiel, BID Executive Director, gave the following report:

Two new businesses opened since last meeting; Two Hearts Rescue and Le Crepe Café.
Inquired about replacing grass in pocket park and installing pavers money not in BID budget.

Chris Caruso, inquired about his application he submitted and was looking for a municipal support letter. Attorney Parikh explained the things still needed for borough to consider letter of support.

Jerry Brown, discussed his property he owns in a Gateway District of the borough that does not allow first floor apartments. He asked Council to amend the ordinance so that he can go to Land Use Board and seek approval.

Matthew Bruce, Jackson Valley Rd., Oxford, NJ, inquired about his concept plan he submitted late and asked if this would be reviewed and get a response letter.

Hearing no further public comment, motion made by Norris and seconded by Noone to close the public portion, all were in favor.

PROCLAMATION-Older Americans Month

PROCLAMATION

Older Americans Month

May 2022

Whereas, the month of May is traditionally designated Older Americans Month by the U.S. Department of Health and Human Services; and

Whereas, the theme for Older Americans Month 2022 is “***Age My Way***”, an opportunity for all of us to explore the many ways older adults can remain in and be involved with their communities.

Whereas, Washington Borough includes countless older Americans who enrich and strengthen our community; and

Whereas, Washington Borough is committed to engaging and supporting older adults, their families, and caregivers; and

Whereas, we acknowledge the importance of taking part in activities that promote physical, mental, and emotional well-being—no matter your age; and

Whereas, Washington Borough can enrich the lives of individuals of *every age* by:

- promoting home- and community-based services that support independent living;
- involving older adults in community planning, events, and other activities; and
- providing opportunities for older adults to work, volunteer, learn, lead, and mentor.

Now therefore, I, Ethel Conry, Deputy Mayor of Washington Borough, New Jersey does hereby proclaim May 2022 to be Older Americans Month. Residents are encouraged to take time during this month to acknowledge and recognize older adults as vital members of our community.

ORDINANCES 1st Reading

Motion made by Noone and seconded by Heinrich to approve on first reading Ordinance 2022-03.

Roll Call: Conry, Heinrich, Noone, Norris and Ron.

Ayes: 5 Nays: 0

Motion passes.

ORDINANCE 2022-03 CALENDAR YEAR 2022

MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Borough of Washington in the County of Warren finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough of Washington hereby determines that a 1.0 % increase in the budget for said year, amounting to \$ 27,628.95 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough of Washington hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of Washington, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Washington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 96,701.33, and that the CY 2022 municipal budget for the Borough of Washington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

RESOLUTIONS

Motion made by Norris and seconded by Noone to adopt Resolution 2022-50 and 51

Roll Call: Conry, Heinrich, Noone, Norris and Ron.

Ayes: 5 Nays: 0

Motion passes.

RESOLUTION 2022-50

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 7, 2021 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of \$335.17 for taxes or other municipal liens assessed for the year 2020 in the name of PENA, MIKE as supposed owner, and said assessment and sale were described as 10 NEW ST, Block 18 Lot 3, which sale was evidenced by Certificate #21-00014 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3/8/2022 and before the right to redeem was cut off, as provided by law, Mike Pena claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,118.10 which is the amount necessary to redeem Tax Sale Certificate #21-00014.

NOW THEREFORE BE IT RESOLVED, on this 15th day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$2,518.10** (This consists of \$1,118.10 Certificate Amount redeemed + \$1,400.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 18 Lot 3 from the tax records.

RESOLUTION 2022-51

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 7, 2021 to FIG CUST FIGNJ19LLC & SEC PTY, PO BOX 54226, NEW ORLEANS, LA 70154, in the amount of \$148.41 for taxes or other municipal liens assessed for the year 2020 in the name of LUSTY THOMAS & MARIA A as supposed owners, and in said assessment and sale were described as 278 E WASHINGTON AVE, Block 70 Lot 9, which sale was evidenced by Certificate #21-00032 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3/8/2022 and before said right to redeem was cut off, as provided by law, Thomas Luster claiming to have an interest in said lands, did redeem said lands claimed by FIG CUST FIGNJ19LLC & SEC PTY by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$225.13 which is the amount necessary to redeem Tax Sale Certificate #21-00032.

NOW THEREFORE BE IT RESOLVED, on this 15th day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FIG CUST FIGNJ19LLC & SEC PTY, PO BOX 54226, NEW ORLEANS, LA 70154 in the amount of **\$225.13** (This consists of \$225.13 Certificate Amount redeemed).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 70 Lot 9 from the tax records.

Motion made by Norris and seconded by Heinrich to adopt Resolution 2022-52

Roll Call: Conry, Heinrich, Noone, Norris and Ron.

Ayes: 5 Nays: 0

Motion passes.

RESOLUTION 2022-52

A RESOLUTION AUTHORIZING THE RELEASE OF WASHINGTON 31 LLC- SAFETY & STABILITY PERFORMANCE BOND AND AUTHORIZING CLOSURE OF ESCROW ACCOUNT HELD IN TRUST BY THE BOROUGH OF WASHINGTON

WHEREAS, Steven C. Schepis, Esquire, attorney representing Washington 31 LLC has requested the release and return of the performance cash bond posted;

WHEREAS, Stanley J. Schrek, P.E., has certified that all work has been satisfactorily completed and has authorized the release of the performance bond for Washington 31 LLC-Safety & Stability Performance Bond account;

WHEREAS, Washington 31 LLC-Safety & Stability Performance Bond Account #7763830063 has a balance of \$7,730.82 including interest through 02/25/22 only;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to return the Performance Bond, close the escrow account, and return the remaining funds from Account #7763830063 to Washington 31 LLC.

Motion made by Norris and seconded by Noone to adopt Resolution 2022-53

Roll Call: Conry, Heinrich, Noone, Norris and Ron.
Ayes: 5 Nays: 0
Motion passes.

RESOLUTION 2022-53

A RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BOND POSTED BY WASHINGTON 31 LLC- PERFORMANCE AND AUTHORIZING CLOSURE OF ESCROW ACCOUNT HELD IN TRUST BY THE BOROUGH OF WASHINGTON

WHEREAS, Steven C. Schepis, Esquire, attorney representing Washington 31 LLC has requested the release and return of the performance cash bond posted;

WHEREAS, Stanley J. Schrek, P.E., has certified that all work has been satisfactorily completed and has authorized the release of the performance bond for Washington 31 LLC-Performance Bond account;

WHEREAS, Washington 31 LLC-Performance Bond Account #7763830055 has a balance of \$250,944.08 including interest through 02/25/22 only;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to return the Performance Bond, close the escrow account, and return the remaining funds from Account #7763830055 to Washington 31 LLC.

Motion made by Norris and seconded by Ron to adopt Resolution 2022-54

Roll Call: Conry,Heinrich, Noone, Norris and Ron.
Ayes: 6 Nays: 0
Motion passes.

RESOLUTION 2022-54

ESTABLISHING 2022 SEWER CONNECTION FEE

WHEREAS, CP Engineers has completed the analysis of the sewer utility debt structure attached hereto in accordance with **N.J.S.A. 40A:26A-11** and has recommended that the Sewer Connection Fee be adjusted to **\$6,400** per E.D.U. for 2022;

WHEREAS, the aforesaid analysis was presented to the Borough Council for review and comment at the March 1st, meeting;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the sewer connection fee be increased to **\$6,400** per E.D.U. for 2022;

BE IT FURTHER RESOLVED, that this change shall be effective immediately upon passage of this resolution.

BUDGET INTRO

Motion made by Norris and seconded by Noone to approve the following budget resolution 2022-55

Roll Call: Conry, Heinrich, Noone, Norris and Ron.

Ayes: 5 Nays: 0

Motion passes.

RESOLUTION 2022-55

2022 Municipal Budget

of the Borough of Washington, County of Warren for the fiscal year 2022

Revenues and Appropriations Summaries

Summary of Revenues	2022	Anticipated	2021
1. Surplus	\$ 600,000.00		\$ 600,000.00
2. Total Miscellaneous Revenues	\$ 2,322,477.02		\$ 2,248,793.07
3. Receipts from Delinquent Taxes	\$ 400,000.00		\$ 400,000.00
4. a) Local Tax for Municipal Purposes	\$ 5,104,839.84		\$ 5,049,709.06
b) Addition to Local District School Tax			
c) Minimum Library Tax	\$ 167,903.34		\$ 149,734.12
Total Amount to be Raised for Support of Municipal Budget	\$ 5,272,743.18		\$ 5,199,443.18
Total General Revenues	\$ 8,595,220.20		\$ 8,448,236.25

Summary of Appropriations	2022 Budget	Final 2021 Budget
1. Operating Expenses: Salaries and Wages	\$ 1,232,766.68	\$ 1,230,501.68
Other Expenses	\$ 4,933,137.52	\$ 4,955,110.57
2. Deferred Charges & Other Appropriations	\$ 334,074.00	\$ 266,510.00
3. Capital Improvements	\$ 180,000.00	\$ 144,000.00
4. Debt Service (Included for School)	\$ 1,115,242.00	\$ 1,103,562.00
5. Reserve for Uncollected Taxes	\$ 800,000.00	\$ 748,552.00
Total General Appropriations	\$ 8,595,220.20	\$ 8,448,236.25
Total Number of Employees	F/T 21 & P/T 15	F/T 20 & P/T 14

2022 Dedicated Sewer Utility Budget		
Summary of Revenues	2022	2021
1. Surplus	\$ 550,000.00	\$ 596,196.00
2. Rents	\$ 2,190,712.00	\$ 2,100,000.00
3. Miscellaneous Rents		
4. Miscellaneous		

Total Revenue	\$	2,740,712.00	\$	2,696,196.00	
Summary of Appropriations		2022	Final 2021 Budget		
1. Operating Expenses:	Salaries and Wages	\$	185,000.00	\$	175,000.00
	Other Expenses	\$	1,584,200.00	\$	1,510,000.00
2. Capital Improvements		\$	100,000.00	\$	100,000.00
3. Debt Service		\$	56,512.00	\$	100,196.00
4. Deferred Charges & Other Appropriations		\$	15,000.00	\$	11,000.00
5. Surplus (General Budget)		\$	800,000.00	\$	800,000.00
Total General Revenues		\$	2,740,712.00	\$	2,696,196.00

2022 Dedicated Solid Waste Budget				
Summary of Revenues	2022	2021		
1. Surplus				
2. Rents	\$	645,000.00	\$	650,168.00
3. Miscellaneous Rents				
4. Miscellaneous	\$	120,000.00		
Total Revenue	\$	765,000.00	\$	650,168.00

Summary of Appropriations		2022	Final 2021 Budget		
1. Operating Expenses:	Salaries and Wages	\$	238,479.00	\$	173,000.00
	Other Expenses	\$	313,794.56	\$	343,323.00
2. Capital Improvements					
3. Debt Service		\$	141,521.00	\$	120,000.00
4. Deferred Charges & Other Appropriations		\$	71,205.44	\$	13,845.00
5. Surplus (General Budget)					
Total General Revenues		\$	765,000.00	\$	650,168.00

Balance of Outstanding Debt			
	General	Sewer Utility	Solid Waste Utility
Interest	\$ 48,204.34	\$ 2,850.00	
Principal	2,131,000.00		
Bond Anticipation Notes	1,749,500.00		\$ 1,238,000.00
Loans Payable	111,347.33	\$ 60,000.00	
Bonds Authorized but not Issued	648,200.00		
Outstanding	\$ 4,688,251.67	\$ 62,850.00	\$ 1,238,000.00

Notice is hereby given that the budget and tax resolution was approved by the Mayor and Council of the Borough of Washington, County of Warren, on, March 15, 2022.

A hearing on the budget and tax resolution will be held at the Borough Hall on April 19, 2022 at 7:00 o'clock p.m. at which time and place objections to the Budget and Tax Resolutions for the year 2022 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the Office of the Clerk at Borough Hall 100 Belvidere Avenue, Washington, New Jersey, (908) 689-3600 during the hours of 8:30 a.m. to 4:30 p.m.

OLD BUSINESS

Deputy Mayor Conry discussed the issue of lighting in businesses in the downtown area previously brought up by Robin Klimko. The lights have been determined to be prohibited, therefore they must come down. Manager Hall stated he will have Officer Pantuso go by and look at the businesses.

VOUCHERS AND CLAIMS

Motion made by Norris seconded by Ron to pay vouchers and claims.

Roll Call: Conry, Heinrich, Noone, Norris and Ron.
 Ayes: 5 Nays: 0
 Motion passes.

RECAP

Manager Hall recapped the following:

- Have Officer Pantuso stop in at businesses regarding the lighting
- Follow up with Planner Gable regarding proposed redevelopment area.
- Will follow up with any cannabis retailer cultivation applications received.

COUNCIL REMARKS

Councilman Norris gave the following remarks:

- Discussed businesses who have blinds closed all night and cant see into them.
- Stated that everyone is doing a great job and he is leaving for Florida tomorrow.

Councilwoman Ron gave the following remarks:

- Stated that she wants everyone to know it is a pleasure working with everyone. With focusing on the same thing what to do and how to do it for the town.
- Glad to see new businesses opening up.
- Matt is doing an incredible job considering all the scrutiny he is under.

Councilman Heinrich gave the following remarks:

- Thanked everyone for the job they are doing and to Matt, Laurie and Leslie with the OPRA requests.
- Been to the Rooted Lion five times now, it is a cool place.
- Looking forward to Farmers Market.

Councilwoman Noone gave the following remarks:

- Excited for the many new store fronts opening. Excited to see the facade is looking really nice.
- Brick face going up there now and watching the progress looking forward to scaffolding coming down.
- Looking forward to the festivals.
- Wishing everyone a Happy Spring.

Deputy Mayor Conry gave the following remarks:

- Thanked everyone and sent an email to all employees for appreciation day last Friday.
- Stated that we will make it through and for everyone to keep a positive note and everything will work out for the good. Council is doing a great job and thanked them.

EXECUTIVE SESSION

Motion made by Noone and seconded by Ron to enter into executive session for contract negotiations all were in favor.

RESOLUTION **AUTHORIZING EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act, P.L. 975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss CWA Contract and Baker Tract. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED, that the public be excluded from this meeting.

Motion made by Norris and seconded by Heinrich to return to regular session at 9:00 p.m., all were in favor.

ADJOURN

Hearing no further business to come before Council, motion made by Norris and seconded by Heinrich to adjourn the meeting at 9:00 PM, all were in favor.

Laurie A. Barton, RMC
Borough Clerk